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INFO RUEHBUL/AMEMBASSY KABUL PRIORITY 7800
RUEHLO/AMEMBASSY LONDON PRIORITY 6762
RUEHNE/AMEMBASSY NEW DELHI PRIORITY 2297
RUEHKP/AMCONSUL KARACHI PRIORITY 8151
RUEHLH/AMCONSUL LAHORE PRIORITY 4138
RUEHPW/AMCONSUL PESHAWAR PRIORITY 2697
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C O N F I D E N T I A L SECTION 01 OF 02 ISLAMABAD 004990

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E.O. 12958: DECL: 11/23/2017

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SUBJECT: WEEKLY ROUNDUP: COURT CLEARS WAY FOR MUSHARRAF'S
NEXT TERM

REF: ISLAMABAD 4965

Classified By: Anne W. Patterson, Reasons 1.4 (b), (d)

¶1. (C) Summary: The Supreme Court dismissed the final case challenging Musharraf's candidate eligibility, clearing the way for him to re-take the presidential oath of office as a civilian, possibly as early as this weekend. Musharraf issued new constitutional amendments to provide himself legal indemnity for suspending the constitution and actions taken during the state of emergency; this could lead him to lift the state of emergency, but when is unclear. The Court also validated the state of emergency and provisional constitutional order by ruling on two government-sponsored petitions. Despite talk of an elections boycott, the Pakistan People's Party (PPP) and the block of religious parties are filing candidate nomination papers. The Commonwealth suspended Pakistan's membership, but this has no automatic effect on donor aid. The government released some prominent opposition political figures, but it continues to detain leading judges and lawyers. The government of Dubai authorized ARY to resume media broadcasts; Geo remains off the air. Sporadic protests by opposition political parties, journalists and lawyers continue across the country. End summary.

¶2. (C) The Supreme Court dismissed November 22 the final case challenging Musharraf's eligibility to serve another term as President. The court is set to deliver a short order, which clears the way for the Election Commission to validate the October 6 election results. Musharraf will probably step down from his post in the Army--perhaps as early as this weekend--before taking an oath of office as a civilian.

¶3. (C) On November 21, Musharraf issued seven constitutional amendments that provide him with indemnity for the November 3 provisional constitutional order and proclamation of emergency. The next National Assembly must ratify these amendments by a two-thirds majority; otherwise, Musharraf could later face treason charges for abrogating the constitution. Under these new amendments, the January 8 election and the judicial oath taken by new justices will be considered constitutional (septel). On November 23, the Court ruled on two petitions, sponsored behind-the-scenes by the government, and declared that the state of emergency and the provisional constitutional order were legal.

¶5. (C) Recently deported former Prime Minister Nawaz Sharif is preparing to return to Pakistan, according to press

reports. Musharraf met with Saudi King Abdullah earlier in the week, and Sharif reportedly is traveling from Riyadh to Jeddah November 23 to meet with the king. It is unclear if Nawaz will be allowed to return by November 26, the last day possible to file candidate nomination papers.

¶16. (U) In a key development, People's Party of Pakistan (PPP) leader Benazir Bhutto said her party will submit nomination papers. Although the PPP could still decide to boycott the elections, the PPP's decision to move forward will discourage other parties from boycotting.

¶17. (C) The religious parties' coalition, which includes the Jamaat-i Islami (JI) and Jamiat-i Ulema-i-Islam-Falzur (JUI-F) parties, met November 22 and decided not to boycott the election unless the PPP or Pakistan Muslim League-Nawaz (PML-N) decides to do so. JI leader Qazi Hussain lobbied to have the MMA boycott the elections, but JUI-F leader Fazlur Rehman convinced the coalition to participate, according to mission contacts.

¶18. (C) The Commonwealth Ministerial Action Group (CMAG) suspended November 22 Pakistan's membership, but the decision will not automatically impact donor aid. The CMAG had given Musharraf November 12 a ten-day ultimatum to step down from his post in the Army and lift the state of emergency, or risk Pakistan being suspended from the Commonwealth. The government issued a press release expressing "deep disappointment" over the decision and stated that it "reflects ignorance to the ground realities."

¶19. (C) The government released prominent opposition figures this week, including Imran Khan (Pakistan Tehreek-e-Insaf),

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Liaquat Baloch (JI), Javed Hashimi (PML-N), and Asfundyar Wali (Awami National Party), but leading lawyers and judges remain under detention (septel).

¶10. (U) The government of Dubai November 22 authorized ARY to resume media broadcasts. The government of Dubai November 16 started blocking ARY and Geo broadcasts (reftel). The government said a decision is pending on whether GEO will be allowed to resume its broadcasts.

¶11. (C) Ambassador met separately November 19 with Benazir Bhutto and Geo TV, and Karachi CG met November 21 with ARY and the Karachi Press Club. Many political prisoners are being released throughout Sindh and Karachi. Court boycotts continue in Karachi, and police baton charged a November 20 Karachi Press Club rally protesting curbs on the media.

¶12. (U) A/PAO 23 November called on caretaker Minister of Information Nisar Memon. A/PAO raised USG concerns over continuing restrictions on the media, and Memon said he was confident these restrictions would be lifted soon. A/PAO also noted Embassy concerns over Pakistan TV programs that have been strongly critical of the USG, Ambassador, and Consuls General because of their public statements in favor of restoring press freedom.

PATTERSON